Calendar No. 414

99TH CONGRESS
1st Session

SENATE

REPORT
99-184

PETRIFIED FOREST NATIONAL PARK

NOVEMBER 18, 1985.—Ordered to be printed

Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 1185]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 1185) to amend the Act establishing the Petrified Forest National Park, having considered the same, reports favorably thereon with amendments to the text and recommends that the Act (as amended) do pass.

The amendment is as follows:

1. On page 1, line 5, strike the word "township" and insert the word "Township".

2. On page 1, after line 7, insert the following new section:

> SEC. 2. The provisions of this Act shall not take effect until the Secretary of the Interior determines that fee simple title to the property described in section 1 has vested in the United States. Such determination of the Secretary shall be published in the Federal Register.

PURPOSE OF THE MEASURE

The purpose of H.R. 1185 is to extend the eastern boundary of the Petrified Forest National Park to incude a 40-acre parcel on which a significant archaeological site is located.

BACKGROUND AND NEED

The Act of March 28, 1958, authorized the establishment of Petrified Forest National Park to preserve examples of trees that have petrified, or changed to multicolored stone; Indian ruins and petroglyphs; and portions of the colorful painted desert. The park was officially established on December 9, 1962, and currently consists of 93,492 acres of federally owned land.

71-010 O

S313-16

Earlier this year, the Archaeological Conservancy, of Santa Fe, New Mexico, purchased the surface rights of a 40-acre site adjacent to the eastern boundary of the park. This site, known as Tract 236, may contain a very important pre-Columbian ruin, which has been neither mapped or studied and other archaeological values. The site consists of a small pueblo that appears to be pre-planned and an assumed dance court.

The Archaeological Conservancy is seeking to donate the surface rights to Tract 236 to the National Park Service for inclusion in the park. The owner of the subsurface mineral rights, the Santa Fe Mining Company, is currently working with the Bureau of Land Management to effect an exchange of these rights for others located elsewhere in Arizona.

Costs associated with including this tract within the park boundary and for protection would be absorbed within existing staffing and funding.

Legislative History

H.R. 1185 passed the House of Representatives on April 2, 1985. An identical bill, S. 488, was introduced in the Senate on February 21, 1985. The Subcommittee on Public Lands, Reserved Water and Resource Conservation held a hearing on S. 488 and H.R. 1185 on April 29, 1985.

At a business meeting on November 6, 1985, the Senate Committee on Energy and Natural Resources ordered H.R. 1185, as amended, favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on November 6, 1985, by unanimous vote of a quorum present recommends that the Senate pass H.R. 1185, if amended, as described herein.

The rollcall vote on reporting the measure was 17 yeas, 0 nays, as follows:

YEAS	NAYS
Mr. McClure	
Mr. Hatfield [1]	
Mr. Weicker [1]	
Mr. Domenici [1]	
Mr. Wallop	
Mr. Warner	
Mr. Murkowski [1]	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	
Mr. Johnston	
Mr. Bumpers [1]	
Mr. Ford	
Mr. Metzenbaum	
Mr. Bradley	
Mr. Bingaman [1]	
Mr. Rockefeller [1]	

[1] Indicates voted by proxy.

COMMITTEE AMENDMENTS

The Committee made a technical amendment to the text and amended H.R. 1185 to specify that the acreage to be included in the park will not be added until the subsurface estate is owned by the Federal Government. The amendment is necessary to avoid problems associated with split-estate ownership of lands designated as Federal parkland.

The Committee has been informed that Santa Fe Pacific Railroad Company, the owner of the subsurface rights, has entered into negotiations with the Bureau of Land Management (BLM) in an attempt to exchange its mineral estate for BLM mineral interests elsewhere in Arizona. The Committee strongly supports this effort to resolve the split-estate problem.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 7, 1985.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, 358 Dirksen Senate Office Building Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 1185, an act to amend the Act establishing the Petrified Forest National Park, as ordered reported by the Senate Committee on Energy and Natural Resources, November 6, 1985.

We expect that no significant additional cost to federal, state or local governments would be incurred if this bill is enacted. H.R. 1185 would modify the boundary of the park to add 40 acres that are to be donated by private parties. H.R. 1185 would become effective when the Secretary of the Interior has determined that fee simple title to the property has vested in the United States.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

RUDOLPH G. PENNER, *Director.*

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 1185. The act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 1185 as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to H.R. 1185 are set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, May 17, 1985.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views of H.R. 1185, an act "To amend the Act establishing the Petrified Forest National Park."

We recommend that this legislation be enacted.

H.R. 1185, as passed by the House of Representatives, would add approximately 40 acres of land, known as Tract 236, to the eastern boundary of Petrified Forest National Park in the State of Arizona. The Petrified Forest was set aside on December 8, 1906, to preserve examples of trees that have petrified, or changed to multicolored stone; Indian ruins and petroglyphs; and portions of the colorful Painted Desert. The Act of March 28, 1958, authorized the establishment of this area as a national park and also authorized a boundary adjustment. The park was officially established on December 9, 1962, and currently consists of 93,492.57 acres of federally owned land.

On January 11, 1985, former National Park Service Director Russell Dickenson received a letter from Mr. Mark Michel, President of the Archeological Conservancy, stating the Conservancy's wish to donate this particular parcel should they be successful in acquiring the tract. It is our understanding that the Archelogical Conservancy consummated the purchase of the surface rights in early February of this year. Further, it is our understanding that the Santa Fe Mining Company owns the subsurface estate, and there is the possibility of an exchange with the Bureau of Land Management under the Federal Land Policy and Management Act of 1976 of the subsurface rights. Assuming that the subsurface estate could be acquired by donation or by equal-value exchange, this legislation, if enacted would put the National Park Service in a position to be able to accept title to a split estate.

Tract 236 contains a very important pre-Columbian ruin, but it has been neither mapped nor studied. It is situated just outside the eastern boundary of the park on the edge of a steep promontory of a wide mesa overlooking the valley on Dead Wash. The site consists of a small pueblo that appears to be preplanned, and what is assumed to be a dance court. The pueblo contains a block of at least five rooms and perhaps two kivas, one of which may be a circular abobe inside a rectangular stone room. While some collected pottery has been previously identified by Laurens Hammack of the Arizona State Museum as "Pueblo II", dated between A.D. 1000 and 1100, complete studies have not been conducted on this site.

The National Park Service was recently informed by the Petrified Forest Museum Association that the Associaiton will donate $5,000 for archeological research in the park. Other costs associated with the donation of Tract 236 would include several thousand dollars worth of labor to install a partial fence around the site to help keep out trespass cattle and poachers of Indian pottery. The park already has sufficient fencing material to accomplish the job, so the cost of labor would be absorbed within existing funding and staffing. Finally, any additional patrolling that may be necessary would be absorbed with existing staff and within existing funds.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

J. CRAIG POTTER,
Acting Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the Act H.R. 1185 as ordered reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT To authorize the establishment of the Petrified Forest National Park in the State of Arizona, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to permit the establishment of the Petrified Forest National Monument, Arizona, and other lands as provided for herein, as the Petrified Forest National Park, such national park shall be established (a) after title to all of the lands described in section 2 of this Act shall have been vested in the United States, with the exception of such easements and rights-of-way railroad, public utilities, and highway purposes as may be acceptable to the Secretary of the Interior, and (b) when notification of the effective date of such establishment of the park, as determined by the said Secretary, is published in the Federal Register. Disestablishment of the Petrified Forest National Monument shall be effected concurrently with the establishment of the park.

The Petrified Forest National Park shall be preserved and administered in its natural condition by the Secretary of the Interior for the public benefit in accordance with the general laws governing areas of the National Park System and in accordance with the basic policies relating thereto as prescribed by the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 1952 edition, secs. 1-3).

The exchange authority prescribed for the Petrified Forest National Monument in the Act of May 14, 1930 (46 Stat. 278; 16 U.S.C., 1952 edition, secs. 444, 444a), is hereby extended to all the lands within the Petrified Forest National Park as herein authorized.

For the purposes of this Act, the Secretary is authorized to acquire, in such manner as he shall consider to be in the public interest, any non-Federal land or interests in land within the area hereby authorized to be established as the Petrified Forest National Park. In acquiring any State-owned land or interests therein the aforesaid area, such property may be procured by the United States without regard to any limitations heretofore prescribed by the Congress relating to the disposal of State-owned properties.

Upon establishment of the Petrified Forest National Park, as authorized by this Act, any remaining balance of funds that may be available for purposes of the Petrified Forest National Monument shall thereafter be available for expenditure for purposes of the Petrified Forest National Park.

SEC. 2. The Petrified Forest National Park, authorized to be established pursuant to section 1 of this Act, shall comprise the following described lands:

GILA AND SALT RIVER MERIDIAN

Township 20 north, range 23 east: Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36, all.

Township 20 north, range 24 east: All.

Township 20 north, range 25 east: Section 4, 5, 6, 7, 8, 9, 16, 17, 18, all.

Township 19 north, range 23 east: Section 1, 2, 3, 10, 11, 12, 13, 14, 15, all.

Township 19 north, range 24 east: Seciton 2, 3, 4, 5, 6, 7, 8, 9, 10, all: section 11, northwest quarter and north half northeast quarter; sections 16, 17, 18, 21, 28, 33, all.

Township 18 north, range 24 east: Section 4, 9, all; section 10, southwest quarter; section 13, 14, 1,5, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36, all.

Township 17 north, range 24 east: Sections 2, 11, 14, 23, 26, west halves; sections 3, 4, 5, 6, 7, 8, 9, 10 ,15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31 32, 33, all.

Township 17 north, range 23 east: Sections 34, 35, 36, all.

Township 16 north, range 24 east: Sections 3 and 10, west halves; sections 4, 5, 6, 7, 8, 9, all.

Township 16 north, range 23 east: Section 1, 2, 11, 12, all; sections 3, 10, east halves.

Township 19 north, range 24 east: the southwest quarter of the southwest quarter of section 27.

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Calendar No. 415

99TH CONGRESS
1st Session

SENATE

REPORT
99-185

TRANSFER OF TITLE TO THE DISTRICT OF COLUMBIA OF THE ROBERT F. KENNEDY STADIUM

NOVEMBER 18, 1985.—Ordered to be printed

Mr. MCCLURE, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 2776]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2776) to amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia, having considered the same, reports favorably thereon without amendment and recommends that the Act do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 2776 is to direct the Secretary of the Interior to convey to the Government of the District of Columbia all right, title, and interest to the Robert F. Kennedy Memorial Stadium which is currently vested in the United States. Additionally, the Act seeks to insure that the conveyance is subject to certain terms and conditions, including that the property will be used "(1) for stadium purposes, (2) for providing recreational facilities, open space, or public outdoor recreation opportunities, (3) for such other public purposes for which the property was used prior to June 1, 1985, and (4) for such other public purposes for which the property was approved for use by the Secretary with the concurrence of the National Capital Planning Commission prior to June 1, 1985." The Act also provides that the "title to the property shall not be transferred by the District to any person or entity other than the United States . . ."

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Background and Need

The District of Columbia Stadium Act of 1957, as amended, authorized the D.C. Armory Board to construct, operate, and maintain the D.C. Stadium, now known as the Robert F. Kennedy Stadium in Washington, D.C. The Act, as amended, authorized and directed the Secretary of the Interior to acquire certain real property on East Capitol Street and to contract with the District of Columbia Armory Board for the construction, maintenance, and operation of the stadium, including parking, on the East Capitol Street site. In addition, the Act authorized and directed the Secretary of the Interior to construct parking facilities at specified locations.

The stadium was constructed in 1961 at a cost of $19.8 million. To finance the project, the D.C. Armory Board issued 20-year revenue bonds in 1960. Plans for the stadium predicted that revenues earned would be sufficient to cover the operating and maintenance costs. The Stadium Act provided that the District Government would advance the funds if the principal and interest payments could not be met due to insufficient revenue, and the District would be reimbursed for any of the advanced amounts. Stadium revenue was never enough to meet annual interest payments or to redeem the bonds. The District, therefore, become the main source of interest payments, totaling approximately $12.8 million. No payments were made on the principal until fiscal year 1978.

In 1977, the Presidential Task Force on the District of Columbia addressed the issue of repayment of the Robert F. Kennedy Stadium bonds. An understanding was reached by the Task Force and a three point plan was provided as follows:

(1) the Federal and District Governments would jointly fund the $19.8 million principal;

(2) the District would absorb the $12.8 million in interest payments on the bonds; and

(3) title to the stadium and associated land areas would be transferred to the District upon redemption of the bonds.

The stadium bonds and interest were paid off on December 1, 1979, and the stadium is now owned by the Federal Government pursuant to section 7 of the 1957 Stadium Act. That section provides that after payment of the bonds issued by the Armory Board, or after a sufficient sinking fund for that purpose is provided, but in any event no later than 50 years from September 7, 1957, title to the stadium should vest in the United States.

The stadium is now under the administrative jurisdiction of the National Park Service. The Armory Board operates the stadium under a contract with the Park Service. The agency also has a cooperative agreement with the Board under which it provides U.S. Park Police protection and maintenance for the parking areas on a reimbursable basis.

Unlike other federally administered properties throughout the country, this one is legislatively mandated to accommodate a local function. The Act of 1957 (Public Law 85–300) authorized the stadium "in order to provide the people of the District of Columbia with a stadium suitable for holding athletic events and other activities and events of a nature requiring such a facility." This property is not "surplus" in the sense that it once had a Federal purpose that

no longer exists. Since the facility was always intended for local use and since it has been managed locally and paid for with local funds, the Committee feels it should be owned by the local government. At present the Park Service has ongoing maintenance responsibilities for certain portions of the facility. This transfer would actually reduce Federal costs by relieving the Park Service of the responsibilities. In turn local costs would increase. Further, the legislation provides for a reverter to the United States of the land in the event that it is not used for recreational and open space purposes. The Act also provides that the National Park Service retain the shoreline of the Anacostia River (area F on the map in the appendix) to insure that the Federal interest in protecting the river in the Nation's Capital is continued.

Legislative History

S. 1596 was introduced on August 1, 1985. H.R. 2776 was introduced on June 17, 1985, and was reported by the House Committee on District of Columbia on June 18, 1985. The House Committee on Interior and Insular Affairs received sequential referral of the measure on June 18, 1985, for a period ending no later than June 19, 1985. The Committee on Interior and Insular Affairs was discharged by motion on June 19, 1985. On June 24, the House passed H.R. 2776 by voice vote.

On October 10, 1985 the Subcommittee on Public Lands, Reserved Water and Resource Conservation held a hearing on both measures. The Administration supports enactment of this legislation.

At a business meeting on November 6, 1985, the Senate Committee on Energy and Natural Resources ordered H.R. 2776 favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on November 6, 1985, by unanimous vote of a quorum present recommends that the Senate pass H.R. 2776 without amendment.

The rollcall vote on reporting the measure was 17 yeas, 0 nays as follows:

YEAS	NAYS
Mr. McClure	
Mr. Hatfield*	
Mr. Weicker*	
Mr. Domenici*	
Mr. Wallop	
Mr. Warner	
Mr. Murkowski*	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	
Mr. Johnston	
Mr. Bumpers*	
Mr. Ford	

Mr. Metzenbaum
Mr. Bradley
Mr. Bingaman*
Mr. Rockefeller*

Section-by-Section Analysis

Section 1, amends section 7 of the District of Columbia Stadium Act of 1957 (D.C. Code 2-326) by inserting three new subsections which provide:

(b) That the Secretary of the Interior convey Robert F. Kennedy Stadium to the District without further costs.

(c) That conveyance to the District is wholly conditioned upon the use of the stadium—

(1) As a stadium;

(2) For outdoor recreation activities;

(3) For purposes for which it was used prior to June 1, 1985; and

(4) For such other public purposes for which it was approved by the Secretary, with the concurrence of the National Capital Planning Commission prior to June 1, 1985.

(d) That title to Robert F. Kennedy Stadium will revert back to the United States if:

(1) The terms and conditions in subsection (c) are not complied with;

(2) The noncompliance has not been corrected within ninety (90) days of receipt of written notice of noncompliance.

Noncompliance will be treated as corrected if the District and the Secretary of the Interior enter into an agreement with which the National Capital Planning Commission concurs.

No person may bring an action to revert until ninety (90) days is expired and must give notice of the action to the Mayor.

If Robert F. Kennedy Stadium reverts, it will be administered by the Secretary of the Interior as part of the park system of the Nation's Capital.

Section 2 amends section 11 of the 1957 Act (D.C. Code, 2-330) by providing that adjacent parking and park areas are a part of the Stadium.

The Committee encourages the District of Columbia to include in all leases for use of the Robert F. Kennedy Stadium a provision encouraging or requiring the lessee to make a reasonable number of tickets for regular, special and playoff events available at no cost or reduced rates to low income, disadvantaged and handicapped citizens organizations.

Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

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* Indicates voted by proxy.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 6, 1985.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 2776, an act to amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia, as ordered reported by the Senate Committee on Energy and Natural Resources, November 6, 1985.

Conveyance of the federal interest in the stadium would not affect the budgets of either the federal government or the District of Columbia. Construction of the stadium, which opened in 1961, cost nearly $20 million. The project was financed with bonds issued by the Armory Board and repaid by the city, the federal government, and the Armory Board. No current estimate of the full market value of this property is available, and the federal government receives no income from its interest in the facility.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

RUDOLPH G. PENNER.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2776.

The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses. The Act conveys title to the Robert F. Kennedy Stadium from the Secretary of the Interior to the D.C. Government.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2776 as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative reports and communications received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to H.R. 2776 are set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, July 19, 1985.

Hon. JAMES A. MCCLURE,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on H.R. 2776, an act "To amend the District of Columbia Stadium Act of 1957 to direct the Secretary of the Interior to convey title to the Robert F. Kennedy Memorial Stadium to the District of Columbia."

We recommend the enactment of H.R. 2776.

The District of Columbia Stadium Act of 1957, as amended, authorized the D.C. Armory Board to construct, operate, and maintain D.C. Stadium, now known as the Robert F. Kennedy Memorial Stadium, in Washington, D.C. The Act authorized and directed the Secretary of the Interior to acquire certain real property on East Capitol Street and to contract with the Armory Board for the construction, maintenance, and operation of the stadium, including parking, on the East Capitol Street site. In addition, the Act authorized and directed the Secretary of the Interior to construct parking facilities at specified locations.

Section 7 of the Act, as amended, provides that after payment of the bonds issued by the Armory Board to finance the stadium construction and interest, or after a sufficient sinking fund for that purpose is provided, but in any event no later than 50 years from September 7, 1957, title to the stadium shall vest in the United States.

The stadium bonds and interest have been paid off, and the stadium is now owned by the United States Government pursuant to section 7. It is under the administrative jurisdiction of the National Park Service of the Department of the Interior. We currently have a contract with the Armory Board whereby the board operates the stadium. We also have a cooperative agreement with the Board under which we provide U.S. Park Police protection and some maintenance for the parking areas on a reimbursable basis.

H.R. 2776 would amend the Act to direct the Secretary of the Interior, subject to terms and conditions to ensure its use for stadium, open space, and other public purposes, to convey the stadium to the government of the District of Columbia. The only other public purpose that has been approved by the National Capital Planning Commission is the swirl concentrator designed to enhance water quality in the Anacostia River. Section 2 of H.R. 2776 also would amend the definition of the term "stadium" to include in that term any of the existing paved parking areas. Thus, it would be clear that authority to transfer the stadium would include transfer of the parking areas as well. Area F, identified on the map referred to in the legislation, would be retained by the Department of the Interior as part of the open space system of the Nation's Capital to provide continuity of parklands of a minimum width of 200 feet along the Anacostia River waterfront.

We recommend enactment of H.R. 2776 because we believe it is appropriate that the District government have control over what

is, in fact, a local facility. Furthermore, we note that H.R. 2776, as enacted by the House of Representatives, incorporates the corrections and amendments recommended by this Department on earlier versions of the legislation.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

SUSAN E. RECCE,
Acting Deputy Assistance Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, changes in existing law made by H.R. 2776 as ordered reported are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

DISTRICT OF COLUMBIA STADIUM ACT OF 1975

* * * * * * *

SEC. 7. *(a)* After payment of the bonds and interest or after a sinking fund sufficient for such purpose shall have been provided and shall be held solely for that purpose, but in any event not later than 50 years from September 7, 1957, all right, title, and interest in and to the Stadium constructed under this subchapter shall vest in the United States.

(b) The Secretary of the Interior (hereinafter in this section referred to as the 'Secretary') shall convey without consideration to the government of the District of Columbia all right, title, and interest of the United States in and to the stadium constructed under this Act.

(c) The conveyance of real property under subsection (b) shall be subject to such terms and conditions (which shall be set forth in the instrument of conveyance) as will ensure that title to the property shall not be transferred by the District to any person or entity other than the United States and that the property will be used only—

(1) for stadium purposes;

(2) for providing recreational facilities, open space, or public outdoor recreation opportunities;

(3) for such other public purposes for which the property was used prior to June 1, 1985; and

(4) for such other public purposes for which the property was approved for use by the Secretary with the concurrence of the National Capital Planning Commission prior to June 1, 1985.

(d)(1) The instrument of conveyance referred to in subsection (c) shall provide that all right, title, and interest conveyed to the District of Columbia pursuant to such instrument shall revert to the United States if—

(A) the terms and conditions referred to in subsection (c) have not been complied with, as determined by the Secretary, and

(B) such noncompliance has not been corrected within ninety days after written notice of such noncompliance has been received by the Mayor of the District of Columbia.

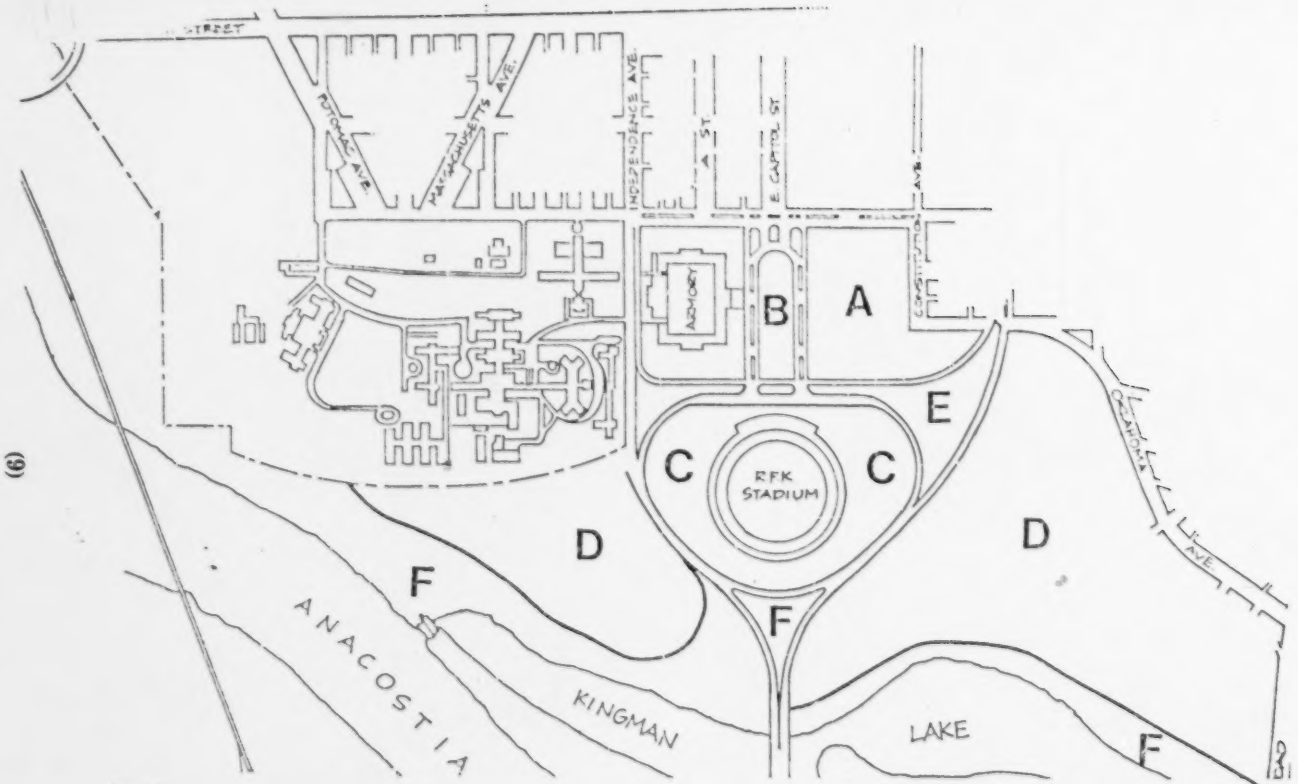
Such noncompliance shall be treated as corrected if the District of Columbia and the Secretary enter into an agreement, with the concurrence of the National Capital Planning Commission, which the Secretary considers adequate to ensure that the property will be used in a manner consistent with the purposes referred to in subsection (c).

(2) No person may bring an action respecting a violation of any term or condition referred to in subsection (c) before the expiration of ninety days after the date on which such person has notified the Mayor of the District of Columbia of the alleged violation. The notice shall include notice of such person's intention to bring an action to declare a reversion under paragraph (1) of this subsection.

(3) Any property which reverts to the Secretary under this subsection shall be administered by the Secretary as part of the Park System of the Naiton's Capital in accordance with the provisions of the act of August 25, 1916 (16 U.S.C. 1, 2-4), and other provisions of law generally applicable to units of the national park system.

* * * * * * *

SEC. 11. As used in this Act the term "Stadium" includes all equipment appliances, facilities, and property of any kind *(including any area designated A, B, C, D, or E on the revised map entitled "Map to Designate Transfer of Stadium and Parking Lots to the District", prepared jointly by the National Park Service (National Capital Region) and the District of Columbia Department of Public Works for site development and dated March 1985 (NPS drawing number 831/87284))*, necessary to carry out the purposes of this Act.



(6)

Legend

A – E STADIUM PARKING USE

F NATIONAL PARK SERVICE PROPERTY

SCALE: 0 350 700 MARCH

NPS REFERENCE NO. 821/87281